



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



DIRECTOR'S ORDER NO. 111

Subject: Information Collection Approval Process

Sec. 1 What is the purpose of this Order? This Order establishes procedures for obtaining Office of Management and Budget approval for collecting information from the public.

Sec. 2 To whom does this Order apply? This Order applies to all employees who propose to collect information from 10 or more persons.

Sec. 3 What is the Service's authority to carry out this program? 44 U.S.C. 3501, Paperwork Reduction Act of 1995.

Sec. 4 What is an information collection? According to 5 CFR 1320, a collection of information means "obtaining, causing to be obtained, soliciting, or requiring the disclosure to an agency, third parties, or the public of information by or for an agency by means of identical questions posed to, or identical reporting, recordkeeping, or disclosure requirements imposed on, ten or more persons." "Persons" does not include employees of the requesting agency or current Government employees acting within the scope of their employment, or contractors engaged for purposes of complying with the collection of information.

Sec. 5 What items are *not* considered information? The Paperwork Reduction Act (PRA) defines certain purposes for which collections of information are exempt from requirements of the Act. In addition, 5 CFR 1320 defines 10 categories of inquiry that generally are not considered to be information. Information does not include affidavits, oaths, affirmations, certification, receipts, changes of address, consents, or acknowledgments provided that they entail no burden other than that necessary to identify the respondent, the date, the respondent's address, and the nature of the instrument.

Sec. 6 When do I need OMB approval to collect information from the public? The PRA requires each Federal agency to seek and obtain OMB approval before undertaking a collection of information directed to 10 or more persons, or before continuing an information collection for which OMB approval is about to expire. Unless exempt, all collections of information require OMB review and approval regardless of whether the collection is:

a. Implemented through paper, telephone, voice, automation, electronics, or any other collection technique. An information collection may be in any form or format, such as application forms; questionnaires; surveys; contracts; agreements; reporting or recordkeeping requirements; policy statements; telegraphic or telephonic requests; automated electronic, mechanical, or other technological collections; or bulletins.

b. Mandatory, voluntary, or required to obtain or retain a benefit.

Sec. 7 What must appear in an information collection document? The document must:

a. Display a valid OMB control number, showing OMB approval of the information collection, and the expiration date of the approval.

b. Contain a Paperwork Reduction Act Statement that informs the public of:

- (1) The reasons the information is being collected;
- (2) How the information will be used to further the proper performance of the Service;
- (3) An estimate of the average burden of the collection in hours, together with a request that the public direct any comments to the Service Information Collection Clearance Officer and to OMB concerning the accuracy of the burden estimate and any suggestions for reducing the burden;
- (4) Whether or not responses to the collection of information are voluntary, required to obtain or retain a benefit (cite authority), or mandatory (cite authority);
- (5) The nature and extent of confidentiality to be provided, if any (cite authority); and
- (6) The fact that a Federal agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Sec. 8 What is the clearance process for information collections that do not involve rulemakings.

Exhibit 1 contains guidance on the process for all information collections, except new rulemakings. Follow the procedures listed in Exhibit 1 for new information collections as well as for renewals.

Sec. 9 What is the clearance process for information collections associated with rulemakings?

Follow the procedures in Exhibit 2 when a rulemaking changes a currently approved information collection or adds a new information collection.

a. If the information collection associated with the new rulemaking is covered by an existing OMB approval and is unchanged by the rulemaking, note this fact in the preamble of the rulemaking. You do not need to have OMB reapprove the collection. "Unchanged" means that there is no change in the respondent pool, the information that the respondents will give, the method by which the information is collected, or the burden.

b. If the information is unchanged, but relocated within the regulations, submit an OMB Form 83-C (Paperwork Reduction Act Change Worksheet) to inform OMB. When the final rule is implemented, submit OMB Form 83-C through the Service Information Clearance Officer, PDM, to the Department of the Interior Information Collection Coordinator.

Sec. 10 When should I submit the clearance package? The information collection approval process takes an average of 6 to 7 months to complete. Submit your proposed information collection as soon as your requirement is known.

Sec. 11 Do I have to provide advance notice of my proposed information collection? Yes, except for information collections associated with new rulemakings, you must publish a notice in the Federal Register giving the public 60 days advance notice of the proposed collection and requesting comments. You cannot submit your information collection to OMB until this notice has been given and public comments have been considered.

Sec. 12 What should I include in the clearance package? Submit the following documents to the Division of Policy and Directives Management:

a. Copy of proposed collection of information in the appropriate form or format, including documents to be used in the collection of information or documents describing the collection.

b. OMB Form 83-1 (Paperwork Reduction Act Submission). Follow OMB instructions (available as a PDF file on the PDM Home Page) for completing OMB Form 83-1. Submit an original and three copies. Only the Service Information Clearance Officer and the Department of the Interior Information Collection Coordinator will sign this form.

c. Supporting Statement. A Supporting Statement must accompany each request for approval of an information collection. You must follow the OMB instructions (available as a PDF file on the PDM Home Page) and format for the Supporting Statement.

d. A summary of the public comments received, including actions taken by your office in response to the comments.

e. The text of the 60-day (if applicable) and 30-day Federal Register notices and the actual or expected dates of publication for each.

f. Copies of pertinent statutory authorities and regulations.

Sec. 13 Who signs the required documents?

a. The Service Information Collection Clearance Officer, PDM, must sign OMB Form 83-1 before forwarding to the Department for review.

b. The Department of the Interior Information Collection Coordinator must sign OMB Form 83-1 before you can submit it to OMB for approval.

c. Assistant Directors may sign both the 60-day and 30-day Federal Register notices associated with information collections.

Sec. 14 What if I don't have enough time to obtain OMB approval? The PRA states that an agency cannot conduct or sponsor the collection of information unless OMB has reviewed and approved the proposed collection. OMB may make allowances for emergency situations, if properly justified, where you need to undertake an information collection before you can complete the approval process. If an urgent situation arises, contact the Service Information Collection Clearance Officer, PDM, for instructions on how to proceed.

Sec. 15 If OMB approval for my information collection is about to expire, how do I get it renewed? Renewals must be submitted to OMB at least 60 days prior to the expiration date. Be sure to plan ahead and allow enough time to complete the steps identified in Exhibit 1.

Sec. 16 When is this Order effective. This order is effective immediately. We will incorporate the contents of this Order into Part 281 of the Fish and Wildlife Service Manual. It will expire on June 30, 2000, unless amended, superseded, or revoked.

/s/ JOHN G. ROGERS
ACTING DIRECTOR

Date: May 12, 1999